

EXHIBIT N

COUNTY OF OAKLAND
OFFICE OF THE SHERIFF

MICHAEL J. BOUCHARD



Line Investigation:

RE: Violation of OCSO policy requiring a protective face mask be worn by Deputy [REDACTED]

On November 20, 2020 a line investigation was authorized by Captain Douglas Molinar of the Corrective Services Division. Lt. Seling assigned the investigation to Sergeant Matthew Leggat which was the result of a statement from Deputy [REDACTED] stating that he had not worn a protective face mask while assigned to N Dorm on November 18th, 2020.

Sgt. Leggat on November 19th 2020:

On November 19th, 2020 I was tasked by Lt. Vida to compile a list of deputies that had worked N Dorm and to contact each one and make sure they had utilized proper protective equipment and social distancing standards as ordered by the Sheriff's office. This was in response to finding out that 27 inmates in N Dorm had tested positive for Covid 19.

On November 19th, 2020 between 1330 and 2130, I called Deputy [REDACTED] and inquired if he had been following Covid 19 protocols as put out by the Oakland County Health department and the Sheriff's Office while working N dorm. Deputy [REDACTED] responded that he had followed the protocols except when he was feeding the inmates in N dorm on November 18th, 2020 during midnight shift.

Video Evidence:

I reviewed the video of November 18th 2020 and was able to determine that Deputy [REDACTED] arrived at his assigned location twenty minutes early for his shift. Deputy [REDACTED]
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██████████ woke the inmates at approximately 0430 hrs and had them line up for breakfast feeding. Deputy ██████████ was not wearing his protective mask at this time and it appears as though Deputy ██████████ was standing approximately three (3) feet from the inmates as they lined up for their food.

Interview with Deputy ██████████ (Phone interview):

Deputy ██████████ was placed on NPH immediately following his statement. I called Deputy ██████████ on December 2nd 2020. I asked Supervisor Davis to attend the phone call in the Sergeants Office if union representation was requested.

I asked Deputy ██████████ to elaborate on the events of November 18th 2020. Deputy ██████████ stated that he forgot to put his mask on when he got up to initiate feeding. Deputy ██████████ said that he was so used to pulling up his gaiter that he normally wore, that he just forgot about the mask.

When asked if Deputy ██████████ knew the standards and requirements regarding Covid 19 protocols, Deputy ██████████ said yes, that it was just muscle memory with the gaiter and that he intended to wear the mask and had simply forgotten.

I told Deputy ██████████ to write a statement concerning what we had spoken about and to provide that to me as soon as he could. Deputy ██████████ returned to work on December 4th and I received the memo from him in person.

Policies and Orders received by Deputy ██████████

On November 16th, Deputy ██████████ received an email from the Sheriff's Office including the new emergency MDHHS orders mandating that masks be worn in gatherings.

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On November 16th, Lt. Seling sent a Corrections Pass-On memo that included a statement from Major Childs mandating that no gaiters were to be used, only masks. This memo was sent to everyone in corrections.

On November 17th, Deputy [REDACTED] received a Corrections Pass-On memo with an order from Lt. Vida stating that Deputies must wear proper PPE while interacting with inmates.

Summary:

Deputy [REDACTED] was aware of the standards and requirements set forth by the Sheriff's office. Deputy [REDACTED] arrived at his work location early and immediately began conducting his duties and responsibilities in N Dorm without wearing a protective face mask. Deputy [REDACTED] answered honestly the first time that he was asked via phone call if he wore a mask and informed me that his intent was not to violate policy but was due to his transition from wearing a gaiter to a face mask. Deputy [REDACTED] fully intends to comply with all orders given.

Respectfully submitted,

Sgt. Matthew Leggat #1107

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Memorandum

To: Captain Douglas Molinar

From: Lieutenant Richard Cummins

Date: December 9, 2020

Re: Line Investigation Deputy [REDACTED]

Information:

On November 20, 2020 a line investigation was authorized by Captain Douglas Molinar of the Corrective Services Division. The investigation which was the result of a statement from Deputy [REDACTED] stating that he did not wear a protective face mask while assigned to N Dorm on November 18th, 2020. The investigation was assigned to Sergeant Matthew Leggat.

Facts:

A line investigation was conducted by Sergeant Matthew Leggat on the above allegations. Sgt. Leggat conducted a thorough investigation and interviewed all parties involved. All the information is contained with the file for review.

Conclusion:

I have reviewed the investigation and all the information that was produced. I also read the statement from Deputy [REDACTED]. It was determined that Deputy [REDACTED] was not wearing his mask in violation of the protocols and he admitted to same. His explanation was that he forgot put his mask on during feeding time. I appreciate that Deputy [REDACTED] was cooperative and honest during the investigation. This could have been a one-time mistake. However, watching the video Deputy [REDACTED] showed up for work in the dorm and was not wearing his mask at time. From what I am

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told Deputy [REDACTED] is a good officer and worker. He says he has learned from his mistake. However, it is my recommendation that Deputy [REDACTED] have a negative synopsis entry made at the very least or a written reprimand placed in his file.